

# **Exhibit 11**

Brenda C. Murphy  
The South Carolina State Confvs.McMaster/Alexander

August 8, 2022

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1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF SOUTH CAROLINA  
3 COLUMBIA DIVISION  
4 THE SOUTH CAROLINA STATE  
5 CONFERENCE OF THE NAACP

6 and

7 TAIWAN SCOTT, ON BEHALF OF HIMSELF  
8 AND ALL OTHER SIMILARLY SITUATED  
9 PERSONS,

10 Plaintiffs,

11 vs. Case No. 3:21-CV-03302-MGL-TJH-RMG

12 THOMAS C. ALEXANDER, IN HIS OFFICIAL  
13 CAPACITY AS PRESIDENT OF THE SENATE;  
14 LUKE A. RANKIN, IN HIS OFFICIAL CAPACITY  
15 AS CHAIRMAN OF THE SENATE JUDICIARY  
16 COMMITTEE; MURRELL SMITH, IN HIS OFFICIAL  
17 CAPACITY AS SPEAKER OF THE HOUSE OF  
18 REPRESENTATIVES; CHRIS MURPHY, IN HIS  
19 OFFICIAL CAPACITY AS CHAIRMAN OF THE HOUSE  
20 OF REPRESENTATIVES JUDICIARY COMMITTEE;  
21 WALLACE H. JORDAN, IN HIS OFFICIAL CAPACITY  
22 AS CHAIRMAN OF THE HOUSE OF REPRESENTATIVES  
23 ELECTIONS LAW SUBCOMMITTEE; HOWARD KNAPP,  
24 IN HIS OFFICIAL CAPACITY AS INTERIM  
25 EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA  
STATE ELECTION COMMISSION; JOHN WELLS,  
JOANNE DAY, CLIFFORD J. EDLER, LINDA MCCALL,  
AND SCOTT MOSELEY, IN THEIR OFFICIAL  
CAPACITIES AS MEMBERS OF THE SOUTH CAROLINA  
STATE ELECTION COMMISSION,

Defendants.

DEPOSITION OF: BRENDA C. MURPHY  
(Via Videoconference)

DATE: Monday, August 8, 2022

TIME: 10:00 a.m.

LOCATION: 6111 North Main Street  
Columbia, South Carolina

Brenda C. Murphy  
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<p style="text-align: right;">Page 2</p> <p>1 <b>TAKEN BY:</b> Counsel for Thomas Alexander and Luke Rankin</p> <p>2</p> <p>3 <b>REPORTED BY:</b> Elaine L. Grove-DeFreitas, Independent Professional Reporter (Via Videoconference)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 <b>APPEARANCES OF COUNSEL:</b></p> <p>2</p> <p>3 <b>ATTORNEYS FOR THE HOUSE DEFENDANTS:</b></p> <p>4 NEXSEN PRUET, LLC BY: JENNIFER HOLLINGSWORTH BY: HAMILTON BARBER 1230 Main Street Suite 700 Columbia, South Carolina 29201 803-771-8900 hbarber@nexsenpruet.com (Via Videoconference)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10 <b>ATTORNEYS FOR ELECTION DEFENDANTS:</b></p> <p>11 BURR &amp; FORMAN, LLP BY: JANE W. TRINKLEY 1221 Main Street Suite 1800 Columbia, South Carolina 29201 803-799-9800 jtrinkley@burr.com (Via Videoconference)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17 <b>ALSO PRESENT:</b> Cyndi Nygord (Via Videoconference)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 <b>APPEARANCES OF COUNSEL:</b></p> <p>2</p> <p>3 <b>ATTORNEYS FOR THE PLAINTIFFS</b> <b>THE SOUTH CAROLINA STATE CONFERENCE OF</b> <b>THE NAACP:</b></p> <p>4 NAACP LEGAL DEFENSE &amp; EDUCATIONAL FUND, INC. BY: RAYMOND AUDAIN BY: JOHN CUSICK 40 Rector Street Fifth Floor New York, New York 10006 212-965-2200 raudain@naacpldf.org jcusick@naacpldf.org (Via Videoconference)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10 and BY: ANTONIO L. INGRAM II 700 14th Street, NW Sixth Floor Washington, D.C. 20005 646-647-7754 aingram@naacpldf.org (Via Videoconference)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16 <b>ATTORNEYS FOR THOMAS C. ALEXANDER AND</b> <b>LUKE A. RANKIN:</b></p> <p>17 ROBINSON, GRAY, STEPP &amp; LAFFITTE, LLC BY: ROBERT E. TYSON, JR. BY: LAJESSICA STRINGFELLOW 1310 Gadsden Street Columbia, South Carolina 29201 803-929-1400 rtyson@robinsongray.com lstringfellow@robinsongray.com (Via Videoconference)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 <b>I N D E X</b></p> <p>2 <b>Page Line</b></p> <p>3 <b>EXAMINATION</b></p> <p>4 <b>BY MR. TYSON..... 6/3</b></p> <p>5 <b>BY MR. INGRAM..... 84/24</b></p> <p>6 <b>CERTIFICATE OF REPORTER..... 86</b></p> <p>7 <b>E X H I B I T S</b></p> <p>8 <b>Page Line</b></p> <p>9 <b>EXHIBIT 1, 6-26-21 SC State Conference, NAACP</b> <b>General Membership Meeting..... 30/20</b></p> <p>10</p> <p>11 <b>EXHIBIT 2, 6-12-21 SC State Conference, NAACP</b> <b>Executive Committee Meeting Minutes..... 57/14</b></p> <p>12 <b>EXHIBIT 3, 9-30-21 SC State Conference NAACP</b> <b>Reapportionment Coalition Meeting Minutes..... 73/7</b></p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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Page 6	<p>1 BRENDA C. MURPHY,</p> <p>2 being first duly sworn, testified as follows:</p> <p>3 DIRECT EXAMINATION</p> <p>4 BY MR. TYSON:</p> <p>5 Q. Good morning, Ms. Murphy. My name is</p> <p>6 Rob Tyson. I'm an attorney for the Senate</p> <p>7 Defendants, President Alexander, and Senator Rankin,</p> <p>8 I guess as chair of the Judiciary Committee.</p> <p>9 Thank you for being here. Can you state</p> <p>10 your name?</p> <p>11 A. My name is Brenda C. Murphy,</p> <p>12 M-U-R-P-H-Y.</p> <p>13 Q. And where do you live, Ms. Murphy?</p> <p>14 A. Where do I live or where I am?</p> <p>15 Q. Yes, ma'am. Either one. Where do you</p> <p>16 live and where are you now?</p> <p>17 A. Okay. I live in Columbia, South</p> <p>18 Carolina. And I'm currently at 6111 North Main</p> <p>19 Street, Columbia, South Carolina.</p> <p>20 Q. Well, very good. And so I will go kind</p> <p>21 of through the rules, but you have now become a pro</p> <p>22 at being deposed. But if you can't hear me or if I</p> <p>23 ask a poor question, just ask me to repeat it.</p> <p>24 Okay?</p> <p>25 A. Okay.</p>	Page 8
Page 7	<p>1 Q. But the simple rules are you know you're</p> <p>2 under oath. Correct?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And so I'm going to ask some</p> <p>5 questions, and the court reporter is recording them.</p> <p>6 So when you speak, just make sure that you don't nod</p> <p>7 or you don't shake or whatever; that you do speak so</p> <p>8 the court reporter can hear you. Okay?</p> <p>9 A. Okay.</p> <p>10 Q. I'm going to ask questions. And there</p> <p>11 might be a possibility or probably -- a probability</p> <p>12 that Mr. Ingram is going to voice an objection. And</p> <p>13 if he does we will let him state his objection, and</p> <p>14 then if you would just go on and answer my question</p> <p>15 after he states his objection. Okay?</p> <p>16 A. Okay.</p> <p>17 Q. We are not going to be here real long</p> <p>18 today, but -- you know, it's my birthday and so --</p> <p>19 A. Happy birthday.</p> <p>20 Q. Thank you. And not just that, but you</p> <p>21 have been deposed, and I think we have a good</p> <p>22 understanding of your testimony so I'm going to try</p> <p>23 not to repeat or rehash that. There might be some</p> <p>24 overlap, so I apologize, but we are going to try to</p> <p>25 kind of get to some stuff pretty quickly, just ask</p>	Page 9

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Page 42	<p>1 Q. And you said you began to have concerns</p> <p>2 prior to them drawing a map?</p> <p>3 A. Well, we were concerned whenever many</p> <p>4 individuals would talk -- well, they expressed</p> <p>5 concerns about -- their feeling that their voices</p> <p>6 were not heard. When litigation was filed it wasn't</p> <p>7 until, actually, in January -- January, February.</p> <p>8 So, you know, we had a chance to look at maps that</p> <p>9 were shared and individuals could voice their</p> <p>10 opinions.</p> <p>11 Q. Okay. I think we will follow back up on</p> <p>12 some of the litigation after a while.</p> <p>13 A. Okay.</p> <p>14 Q. Did you have a -- was it one of your</p> <p>15 goals to try to ensure that another</p> <p>16 majority-minority district was drawn of the seven</p> <p>17 Congressional districts?</p> <p>18 A. Was that a goal? Well, I don't think it</p> <p>19 was a goal. The only thing that we were concerned</p> <p>20 about is fair mapping and considering the criteria.</p> <p>21 It would always be good to have increased Black</p> <p>22 representation, but we know -- you know, there were</p> <p>23 changes in populations and shifting of numbers.</p> <p>24 Q. So you don't think it was a goal that</p> <p>25 you were going to go in and try to see, of the seven</p>	Page 44	<p>1 there is splitting -- to minimize splitting.</p> <p>2 Minimize packing in hopes of Black people being able</p> <p>3 to have some influence over who is elected as their</p> <p>4 representative.</p> <p>5 Q. All right. So let's go through some of</p> <p>6 those. You said it was important that they were</p> <p>7 contiguous. Right?</p> <p>8 A. Yes.</p> <p>9 Q. That doesn't have anything to do with</p> <p>10 race. Correct?</p> <p>11 A. Well, I think the main thing is that</p> <p>12 they are drawn in such a way that the Black vote has</p> <p>13 some influence over who serves, the individual.</p> <p>14 That's the primary goal.</p> <p>15 Q. Yes, ma'am. But contiguous means that a</p> <p>16 district would be next to each other. Right?</p> <p>17 A. Yeah. Yeah.</p> <p>18 Q. So that wouldn't have anything to do</p> <p>19 with race. Correct?</p> <p>20 A. Well, it might.</p> <p>21 Q. The communities of interest, are there</p> <p>22 communities of interest that don't involve race?</p> <p>23 A. Well, yeah. If you look at subsets,</p> <p>24 yes, community subsets within a community. But when</p> <p>25 we are talking communities of interest, we are</p>
Page 43	<p>1 Congressional districts, whether there could be</p> <p>2 another majority African-American district?</p> <p>3 MR. INGRAM: Objection.</p> <p>4 THE WITNESS: No, that was never stated.</p> <p>5 BY MR. TYSON:</p> <p>6 Q. Was it a goal to make sure that the six</p> <p>7 Congressional districts remained relatively the same</p> <p>8 such that an African-American member -- person could</p> <p>9 be elected there?</p> <p>10 MR. INGRAM: Objection.</p> <p>11 THE WITNESS: Let me say, whenever we</p> <p>12 were looking at communities it was more to serve the</p> <p>13 people, to ensure that packing and cracking did not</p> <p>14 occur in certain areas to minimize the influence of</p> <p>15 the Black voter. We had no -- you know, when we</p> <p>16 looked at this it was not with the intention of</p> <p>17 looking at who was where, not at all.</p> <p>18 BY MR. TYSON:</p> <p>19 Q. When you said that you looked at</p> <p>20 criteria, what were some of those criteria that were</p> <p>21 important to you? When you said you wanted to have</p> <p>22 fair mapping, you considered criteria, what are some</p> <p>23 of those criteria?</p> <p>24 A. Communities being contiguous.</p> <p>25 Communities of interest not done in such a way that</p>	Page 45	<p>1 talking about those individuals that are served by,</p> <p>2 you know, a county, for example, being split three</p> <p>3 different ways, that's just not good. Individuals</p> <p>4 with similar interests, use the same hospitals, are</p> <p>5 being placed in another area where the interests are</p> <p>6 not the same.</p> <p>7 Q. And I agree with you. I'm not arguing</p> <p>8 with you about what those communities look like.</p> <p>9 But again, if we are trying to look at individuals</p> <p>10 with similar interests or same interests are being</p> <p>11 placed -- well, let's just look at it that way.</p> <p>12 That doesn't just relate to African-American voters,</p> <p>13 does it?</p> <p>14 MR. INGRAM: Objection.</p> <p>15 THE WITNESS: Well, you know, it depends</p> <p>16 on how you look at that.</p> <p>17 BY MR. TYSON:</p> <p>18 Q. And that's right. That's 100 percent</p> <p>19 accurate. But I was just trying to -- are there</p> <p>20 communities of interest that could be -- that might</p> <p>21 have same -- similar interests but might not be</p> <p>22 African-American voters? Does that --</p> <p>23 A. Yeah. Have similar interests, yes.</p> <p>24 Q. Yes, ma'am.</p> <p>25 A. I would say yes.</p>

12 (Pages 42 - 45)